



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
MINUTES**

Monday, March 25, 2024

6:00 P.M.

Council Chambers

271 Sandwich Street South, Amherstburg, ON, N9V 2A5

PRESENT Mayor Michael Prue (*Electronic Participation*)
Deputy Mayor Chris Gibb
Councillor Molly Allaire
Councillor Donald McArthur
Councillor Diane Pouget
Councillor Linden Crain
Councillor Peter Courtney

STAFF PRESENT Valerie Critchley, CAO
Kevin Fox, Clerk
Sarah Sabihuddin, Deputy Clerk

1. CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

2. NATIONAL ANTHEM

3. ROLL CALL

4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

Councillor Crain declared a pecuniary interest for 19.1 due to employer relationship to the Bondy-Bastien drain.

Councillor Allaire declared a pecuniary interest for 14.1 as her and her husband will be organizing this event.

Councillor Courtney declared a pecuniary interest for item 13.2 as his ex-wife is the manager of 184 Victoria St. S (Supportive Community Home).

5. LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

6. REPORT OUT FROM IN-CAMERA SESSION

The Council met in closed session on February 26th in accordance with section 239 of the Municipal Act in relation to:

Item A – Agreement of Purchase and Sale for Municipal Property listed for Sale on Victoria Ave

Heard under section...

- Section 239(2)(c) – a proposed or pending acquisition or disposition of land by the municipality or local board

Resolution: 20240325-004

Moved By Councillor Pouget

Seconded By Councillor Allaire

Approval **BE GIVEN** to the sale of the properties legally described as Parts 2 and 2, Block A, Registered Plan 1066, County of Essex, being two vacant lots located on the east side of Victoria Street for a total of \$350,000 plus HST, if applicable.

The Deputy Mayor put the Motion.

Motion Carried.

The Council met in closed session on March 25th in accordance with section 239 of the Municipal Act in relation to:

Item A – Received Communications from Upper Level of Government

Heard under section...

- Section 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- Section 239(2) (h)- information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them

And was received for information.

Item B – Information Relating to Security of Information Architecture, Systems and Processes

Heard under section...

- Section 239 (2)(a) the security of the property of the municipality or local board;
- Section 239(2)(b) - personal matters about an identifiable individual, including municipal or local board employees.
- Section 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

And was received for information.

Item C – Sale of Disposition of Land – Lease Renewal at Municipal Building

Heard under section...

- Section 239(2)(c) - a proposed or pending acquisition or disposition of land by the municipality or local board.

... and that Administration be directed to proceed on the verbal direction of Council.

Item D – Legal Advice regarding Development Agreements and Contractual Obligations

Heard under section...

- Section 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose

... and legal Counsel was directed to proceed on the verbal direction of Council

Item E – Procurement Matter Update

Heard under section...

- Section 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

... and that Administration and Legal Counsel was directed to proceed on the verbal direction of Council.

7. MINUTES OF PREVIOUS MEETING

Moved By Councillor Allaire

Seconded By Councillor Crain

That the minutes **BE ADOPTED** and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

7.1 Special Council Meeting - Planning Minutes - January 29, 2024

**7.2 Special In-Camera Council Meeting Minutes - January 29, 2024
(PUBLIC)**

- 7.3 **Special In-Camera Council Meeting Minutes - January 29, 2024 (Confidential)**
- 7.4 **Regular Council Meeting Minutes - February 12, 2024**
- 7.5 **Special Council Meeting - Planning Minutes February 12, 2024**
- 7.6 **Regular Council Meeting Minutes - February 26, 2024**

The Deputy Mayor put the Motion.

Motion Carried.

8. PRESENTATIONS

- 8.1 **Map and Grow Program - Danielle Bohn, Quentin Maini, Brian Kountourogianis and Alice Grgicak-Mannion, University of Windsor School of the Environment**

Moved By Councillor Allaire

Seconded By Councillor Courtney

That the presentation **BE RECEIVED** for information.

The Deputy Mayor put the Motion.

Motion Carried.

Item 11.1 was called forward.

11.1 Map and Grow Tree Program

Resolution: 20240325-005

Moved By Councillor Allaire

Seconded By Councillor Courtney

That Council **SUPPORT** up to \$10,000 from the annual Parks Tree Operating Budget to the Earth Day Map and Grow Tree program.

The Deputy Mayor put the Motion.

Motion Carried.

9. DELEGATIONS

9.1 Delegation - Item #15.1 - Open Air - Dave Doherty

Moved By Councillor Courtney

Seconded By Councillor McArthur

The delegation **BE RECEIVED**.

The Deputy Mayor put the Motion.

Motion Carried.

9.2 Delegation - Item #15.1 - Open Air - Bethany D'Alimonte

Moved By Councillor Allaire

Seconded By Councillor McArthur

The delegation **BE RECEIVED**.

The Deputy Mayor put the Motion.

Motion Carried.

9.4 Delegation - Item #15.1 - Open Air- Sue Hudson

Moved By Councillor Allaire

Seconded By Councillor Crain

The delegation **BE RECEIVED**.

The Deputy Mayor put the Motion.

Motion Carried.

9.5 Delegation - Item #15.1 - Open Air - Linda Saxon

Moved By Councillor Allaire

Seconded By Councillor Crain

The delegation **BE RECEIVED**.

The Deputy Mayor put the Motion.

Motion Carried.

Council brought forward Item 15.1

15. INFORMATION REPORTS

15.1 Report on Open Air

Moved By Councillor Allaire

Seconded By Councillor Crain

That the Deputy CAO **BE PERMITTED** to share the prepared presentation regarding Open Air.

The Deputy Mayor put the Motion.

Motion Carried.

Moved By Councillor Allaire

Seconded By Councillor Courtney

That at the end of Open Air events in September administration, businesses, and council if they so wish **TO PARTICIPATE** in a meeting together to discuss the footprint, frequency, benefits, and improvements for open air for all businesses within and outside the footprint up to 500m.

Moved By Councillor Allaire

Seconded By Councillor Courtney

That the motion **BE POSTPONED INDEFINTELY.**

The Deputy Mayor put the Motion.

Motion Carried.

Resolution: 20240325-006

Moved By Councillor McArthur

Seconded By Councillor Crain

That Administration **BE DIRECTED** to approach Flo Café, other businesses and residents of the Queen Charlotte to see if it is possible to extend the footprint safely, enhance signage and see if they can benefit like other businesses in the footprint.

	Yes/ Concur	No/Not Concur
Councillor Allaire	X	
Councillor Courtney	X	
Councillor Crain	X	
Deputy Mayor Gibb	X	
Councillor McArthur	X	
Councillor Pouget		X
Mayor Prue	X	

Moved By Councillor Allaire
Seconded By Councillor McArthur

That the report of March 25, 2024 **BE RECEIVED** for information.

The Deputy Mayor put the Motion.

Motion Carried.

9.3 Delegation - Item # 13.2 - Business Licensing - Sarah Brush

Moved By Councillor Allaire
Seconded By Councillor McArthur

The delegation **BE EXTENDED by 5 Minutes.**

The Deputy Mayor put the Motion.

Motion Carried.

Moved By Councillor Allaire
Seconded By Councillor Crain

The delegation **BE RECEIVED.**

The Deputy Mayor put the Motion.

Motion Carried.

Item 14.2 was brought forward.

**14.2 Licensing Committee Appointment 2024-018 & Business Licensing
By-law 2024-019**

Resolution: 20240325-007

Moved By Councillor Crain

Seconded By Councillor Courtney

That:

1. Administration **BE DIRECTED** to initiate public consultations on business licencing fees and refund funds that have already been paid;
2. Council **TO SUSPEND** implementation of the business licensing program; and,
3. Administration to **REPORT BACK** to Council following for consultation with the community.

The Deputy Mayor put the Motion.

Motion Carried.

10. REPORTS – CORPORATE SERVICES

No reports.

11. REPORTS - PARKS, RECREATION, FACILITIES AND CULTURE

11.1 Map and Grow Tree Program

As discussed above.

12. REPORTS - INFRASTRUCTURE SERVICES

No reports.

13. REPORTS - PLANNING AND DEVELOPMENT SERVICES

13.1 Proposal for Draft Plan of Condominium: 359 Dalhousie Street - County File No. 37-CD-24002

Resolution: 20240325-008

Moved By Councillor McArthur

Seconded By Councillor Allaire

That:

1. Council **ENDORSE** the proposed Draft Plan of Condominium for 359 Dalhousie Street; and
2. Council **DIRECT** Administration to notify the County of Essex that the Town of Amherstburg supports the proposed Draft Plan of Condominium for 359 Dalhousie Street.

The Deputy Mayor put the Motion.

Motion Carried.

13.2 Zoning By-law Amendment for the Definition of Supportive Community Home

Resolution: 20240325-009

Moved By Councillor Allaire

Seconded By Councillor McArthur

That **By-law 2024-016** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning to update the definition of Supportive Community Home, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Deputy Mayor put the Motion.

Motion Carried.

13.3 Summary of Site Plan Applications Since December 1, 2023

Moved By Councillor Allaire

Seconded By Councillor McArthur

That the report of March 25, 2024, entitled Summary of Site Plan Control Applications **BE RECEIVED for information.**

The Deputy Mayor put the Motion.

Motion Carried.

13.4 Request to Consider Initiating Amendments to the Economic Development Community Improvement Plan

Resolution: 20240325-010

Moved By Councillor Allaire

Seconded By Councillor Pouget

That:

1. Administration **BE INSTRUCTED** to initiate an Official Plan Amendment to amend the Town of Amherstburg Official Plan policies about where Community Improvement Areas may be defined within the Town of Amherstburg;
2. Administration **BE INSTRUCTED** to initiate the process to amend the Economic Development Community Improvement Plan as approved in By-law 2023-058 for the purposes of:
 - a. Amending the Economic Development CIP Project Area;
 - b. Adding new provisions to allow the Town of Amherstburg to offer land as an incentive to attract industrial and commercial development; and
 - c. Adding new provisions to allow the Town of Amherstburg to offer incentives to attract medical offices and urgent care centres.

The Deputy Mayor put the Motion.

Motion Carried.

14. REPORTS - CAO's OFFICE

14.1 2024 Special Events Approval Part II

Resolution: 20240325-011

Moved By Councillor Courtney

Seconded By Councillor Allaire

That:

1. The following events **BE APPROVED**:
 - a. Share the Road – Essex County – Kelly-Ann Way Grand Depart Ride – June 15, 2024
 - b. Park House Museum – Music Off the Back Porch - May 3, June 7, July 5, August 2, September 6, October 4, 2024
2. An exemption from table number 3-1(2) of Noise By-law #2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music **BE GRANTED** for the following events:
 - a. Park House Museum – Music Off the Back Porch - May 3, June 7, July 5, August 2, September 6, October 4, 2024
3. The fee waiver requests **BE APPROVED** as follows:
 - a. Park House Museum – Music Off the Back Porch - May 3, June 7, July 5, August 2, September 6, October 4, 2024
4. The Special Events Resource Team **BE DIRECTED** to confirm that the requirements identified by the Team are met prior to the event.

The Deputy Mayor put the Motion.

Motion Carried.

14.1 2024 Special Events Approval Part II

Resolution: 20240325-012

Moved By Councillor McArthur

Seconded By Councillor Crain

That:

1. The following events **BE APPROVED**:
 - a. W.R.A.C.E. – Amherstburg Canada Day Run/Walk/Wheel – July 1, 2024
2. An exemption from table number 3-1(2) of Noise By-law #2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music **BE GRANTED** for the following events:
 - a. W.R.A.C.E. – Amherstburg Canada Day Run/Walk/Wheel – July 1, 2024
3. The fee waiver requests **BE APPROVED** as follows:
 - a. W.R.A.C.E. – Amherstburg Canada Day Run/Walk/Wheel – July 1, 2024
4. The Special Events Resource Team **BE DIRECTED** to confirm that the requirements identified by the Team are met prior to the event.

The Deputy Mayor put the Motion.

Motion Carried.

14.2 Licensing Committee Appointment 2024-018 & Business Licensing By-law 2024-019

As discussed above.

14.3 Council Meeting Livestreaming and Agenda Software Agreement Extension

Resolution: 20240325-013

Moved By Councillor Allaire

Seconded By Councillor Crain

That:

1. The proposal to extend the agreement for Council Meeting Livestreaming and Agenda Software **BE APPROVED**;
2. An increase to the 2024 Information Technology Computer Maintenance budget centre not to exceed \$8,200.00 (excluding HST) **BE AUTHORIZED** and

Administration **BE DIRECTED** to fund one-time the 2024 increase from the IT Reserve (20-3-1010000-0060); and,

3. Associated contractual requirements for incremental increases related to the Council Meeting Livestream and Agenda Software Agreement **BE AUTHORIZED AND INCORPORATED** into future operational budgets for the duration of the contract term.

The Deputy Mayor put the Motion.

Motion Carried.

14.4 Current State of Town's Records Management Program

Resolution: 20240325-014

Moved By Councillor Crain

Seconded By Councillor Allaire

That Administration **BE DIRECTED** to include for consideration in the 2025 budget deliberations a proposal to address resourcing challenges in the Records Management Program of the Town of Amherstburg.

The Deputy Mayor put the Motion.

Motion Carried.

14.5 Routine Disclosure and Active Dissemination Policy

Resolution: 20240325-015

Moved By Councillor Allaire

Seconded By Councillor Crain

That the Routine Disclosure and Active Dissemination Policy **BE ADOPTED** in accordance with the report of March 25, 2024 of the same name.

The Deputy Mayor put the Motion.

Motion Carried.

16. CONSENT CORRESPONDENCE

Moved By Councillor Allaire

Seconded By Councillor Crain

That the following consent correspondence **BE RECEIVED**:

16.1 Letter from MPP Anthony Leardi to Municipalities Re: Bill 175

The Deputy Mayor put the Motion.

Motion Carried.

17. CORRESPONDENCE

No Correspondence.

18. CONSENT OTHER MINUTES

Moved By Councillor Allaire

Seconded By Councillor Crain

That the following minutes **BE RECEIVED**:

18.1 Parks and Recreation Advisory Committee Minutes of February 21, 2024

18.2 Committee of Adjustment Meeting Minutes- March 6, 2024

18.3 Committee of Adjustment Meeting Minutes- November 1, 2023

The Deputy Mayor put the Motion.

Motion Carried.

19. OTHER MINUTES

19.1 Drainage Board Meeting Minutes - March 5, 2024

Resolution: 20240325-016

Moved By Councillor Allaire

Seconded By Councillor McArthur

1. The Drainage Board Meeting Minutes of March 5, 2024 **BE RECEIVED**;

2. The engineer's report, prepared by Rood Engineering Inc. dated February 20, 2024 for the Collison Drain - Bouchard Bridge **BE RECEIVED**;
3. **By-law 2024-021** being a by-law to provide for a new access bridge over the Collison Drain for Bouchard based on the Drainage Report by Rood Engineering Inc. which appends the engineer's report dated February 20, 2024 **BE PROVISIONALLY ADOPTED** by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same;
4. The Notice of Appeal to the Court of Revision for the Bondy-Bastien Drain from landowner Eddie Pare **BE RECEIVED**; and
5. The reconsidered engineer's report, prepared by Rood Engineering Inc. dated November 14, 2023 for the Bondy-Bastien Drain **BE RECEIVED**.

The Deputy Mayor put the Motion.

Motion Carried.

20. UNFINISHED BUSINESS

20.1 Unfinished Business List (UFB) - March 2023

21. NEW BUSINESS

Resolution: 20240325-017

Moved By Councillor Allaire

Seconded By Councillor Pouget

That the Town of Amherstburg **BE SUPPORTIVE** of the Essex Library Social Media "Pitch In" campaign.

The Deputy Mayor put the Motion.

Motion Carried.

Moved By Councillor Allaire
Seconded By Councillor Pouget

That:

*At the end of Open-Air events in September administration, businesses, and council if they so wish **TO PARTICIPATE** in a meeting together to discuss the footprint, frequency, benefits, and improvements for open air for all businesses within and outside the footprint up to 500m.*

Which was deferred indefinitely **BE PLACED** back on the table.

The Deputy Mayor put the Motion.

Motion Carried.

Resolution: 20240325-018

Moved By Councillor Allaire
Seconded By Councillor Courtney

That at the end of Open-Air events in September administration, businesses, and council if they so wish **TO PARTICIPATE** in a meeting together to discuss the footprint, frequency, benefits, and improvements for open air for all businesses within and outside the footprint up to 500m.

	Yes/ Concur	No/Not Concur
Councillor Allaire	X	
Councillor Courtney	X	
Councillor Crain		X
Deputy Mayor Gibb		X
Councillor McArthur		X
Councillor Pouget	X	
Mayor Prue	X	

The Deputy Mayor put the Motion.

Motion Carried.

22. NOTICE OF MOTION

23. BY-LAWS

23.1 2024-024 - Confirmatory By-law March 25 2024

Moved By Councillor Allaire

Seconded By Councillor Crain

That By-law 2024-024 being a By-law to Confirm all Resolutions of the Municipal Council Meeting held on March 25, 2024, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Deputy Mayor put the Motion.

Motion Carried.

24. ADJOURNMENT

Moved By Councillor Courtney

Seconded By Councillor Allaire

That Council rise and adjourn at 9:45 p.m.

The Deputy Mayor put the Motion.

Motion Carried.

MAYOR - MICHAEL PRUE

KEVIN FOX - CLERK